IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 6651 of 1988

For Approval and Signature:

HONOURABLE MR.JUSTICE S.R.BRAHMBHATT

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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R P DINDORKAR - Petitioner
Versus
STATE OF GUJARAT & 2 - Respondents

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Appearance :
MR MN DEVNANI for Petitioner : 1,
MR UMANG OZA AGP for Respondent : 1,
RULE SERVED for Respondents : 2 - 3.

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CORAM : HONOURABLE MR.JUSTICE S.R.BRAHMBHATT

Date : 16/07/2007

ORAL JUDGMENT

1. Heard learned counsel for the parties.

2. Shri Devnani, learned counsel submits that he is representing the petitioner in this matter as

Ms. Kotecha, learned Advocate appearing for petitioner is now become AGP. Shri Devnani seeks permission to appear on behalf of the petitioner and he has vakalatnama duly signed by the petitioner. Shri Devnani submits that he will place the vakalatnama on record by tomorrow i.e 17.7.2007. Therefore, Shri Devnani was permitted to submit on behalf of the petitioner. Shri Devnani has placed on record the order dated 1.1.1992 passed by the Director of Museum, Vadodara appointing the petitioner as Gallery Assistant in the pay scale of Rs.1400-2300 with immediate effect. The same is ordered to be taken on record.

3. Keeping this order in view, this petition which was actually filed challenging the termination order would now not survive as the same has become infructuous. Shri Devnani makes grievance in respect of the intervening period and submits that his services deserves to be regularized. For this grievance, actually nothing is placed on record indicating that whether his initially appointment was itself made after following due procedure. This petition deserves to be disposed of as having become infructuous in light of the order dated 1.1.1992. However, liberty is reserved to the petitioner to approach the concerned authority with representation ventilating his grievance with regard to regularization of period from the date of

termination till his reappointment with effect from 1.1.1992. If such representation is preferred by the petitioner, the same is expected to be decided by the authority within reasonable time. With this observation, petition stands disposed of. Rule is discharged with no order as to costs.

(S.R.BRAHMBHATT, J.)

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